# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/792,349 | 03/03/2004 | Rao Salapaka | 418268874US | 4529 |

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| EXAMINER |
|---|
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| 2132 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/792,349 | SALAPAKA ET AL. |
| | Examiner | Art Unit |
| | BENJAMIN E. LANIER | 2132 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on *22 January 2008*.

2a) ☐ This action is **FINAL**.    2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) *1-4 and 15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4,15* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All    b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1.      A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection.  Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114.  Applicant's submission filed on 22 January 2008 has been entered.

### *Response to Amendment*

2.      Applicant's amendment filed 22 January 2008 amends claims 1 and 15. Claims 5-14 and

16 have been cancelled. Applicant's amendment has been fully considered and entered.

### *Response to Arguments*

3.      Applicant's arguments are centered around the amended limitation which recites,

"wherein a destination address and a destination port of multiple receiving network clients are

not unique from the perspective of a sending client." This limitation does not require steps to be

performed and does not define a particular structure. Therefore, the claim limitation is

considered language that does not limit the scope of the claims (MPEP 2106 II C).

4.      In response to applicant's arguments, the recitation "for receiving media data across a

firewall when the destination address and destination port of multiple receiving network clients

are not unique from the perspective of a sending client" has not been given patentable weight

because the recitation occurs in the preamble.  A preamble is generally not accorded any

patentable weight where it merely recites the purpose of a process or the intended use of a

structure, and where the body of the claim does not depend on the preamble for completeness

but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*,

535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478,

481 (CCPA 1951).

<div align="center">*Claim Rejections - 35 USC § 103*</div>

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.      The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.      Determining the scope and contents of the prior art.
2.      Ascertaining the differences between the prior art and the claims at issue.
3.      Resolving the level of ordinary skill in the pertinent art.
4.      Considering objective evidence present in the application indicating obviousness
        or nonobviousness.

7.      Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baugher, The

Secure Real-Time Transport Protocol, in view of Minhazuddin, U.S. Publication No.

2004/0073641. Referring to claim 1, Baugher discloses the secure real-time transport protocol

wherein a sender transmits encrypted SRTP packets to a receiver (Page 10). The receiver

receives the encrypted packets (Page 10), which meets the limitation of receiving from the

sending client an encrypted media packet using Real-time Transport protocol (RTP) message

format at a media-relay server, wherein a destination address and a destination port of multiple

receiving network clients are not unique from the perspective of a sending client. The

cryptographic context id included in the packet header (Figure 1) uniquely identifies the

cryptographic information required to process the packet (Page 6, 3.2 & Page 9), which meets

the limitation of determining whether a sending client's Security Association (SA) exists using

the sender's source information included in the RTP message header. If a valid cryptographic

context cannot be found the packet is dropped (Page 9), which meets the limitation of if no SA

exists, dropping the media packet. If the receiver determines the cryptographic context used

(Page 10, step 1), the packet is decrypted (Page 11, step 6), which meets the limitation of if a SA

does exist, decrypting the media packet. Baugher does not disclose that the encrypted packets are

received and decrypted at a server. Minhazuddin discloses session monitor that receives RTP

packets for a network (Figure 2, 224). It would have been obvious to one of ordinary skill in the

art at the time the invention was made to have the encrypted packets, of Baugher, be received

and processed by a network monitor, such as the session monitor in Minhazuddin, in order to

provide the network with a means of determining network problems while providing

instantaneous troubleshooting as taught by Minhazuddin ([0009]). Baugher further does not

describe comparing the SSRC of the decrypted packet to a stored SSRC associated with the

session. Minhazuddin discloses that the session monitor compares the SSRC of received packets

to SSRCs associated with current sessions, and if they do not match, the packet is not accepted

(i.e. dropped)([0039]-[0040]), which meets the limitation of obtaining a SSRC from the SA,

comparing the SSRC identifier included in the RTP packet with the SSRC obtained from the SA,

if the SSRC included in the RTP packet does not match the SSRC obtained from the SA,

dropping the media packet, and if the SSRC in the RTP packet matches to the SSRC obtained

from the SA, forwarding the packet to a receiving network client identified based on the sender's

source information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the SSRC of the decrypted SRTP packets in Baugher be compared with SSRC associated with the sessions in a session monitor in order to confirm that the user of the end point is a legitimate requester by confirming that the session id represents an active session as taught by Minhazuddin ([0040]). Furthermore, this comparison would occur after the packet has been decrypted because the SSRC in the encrypted packet of Baugher is included in the encrypted section of the packet (Page 14, Figure 2).

Referring to claim 2, Baugher discloses that the cryptographic context is determined based on the network address and port number of the sender contained in the packet header (Page 9), which meets the limitation of the source information retrieved comprises a source Internet Protocol (IP) address and port number found in the RTP message format. Baugher does not disclose that the encrypted packets are received and decrypted at a server. Minhazuddin discloses session monitor that receives RTP packets for a network (Figure 2, 224). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the encrypted packets, of Baugher, be received and processed by a network monitor, such as the session monitor in Minhazuddin, in order to provide the network with a means of determining network problems while providing instantaneous troubleshooting as taught by Minhazuddin ([0009]).

Referring to claims 3, 4, Baugher discloses that the data packets can represent audio or video data (Page 5), which meets the limitation of the media packet comprises audio/video data.

8.      Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bontempi, U.S. Publication No. 2002/0150092, in view of Baugher. Referring to claim 15, Bontempi discloses

an RTP communication system wherein RTP packets received by a server ([0033]) are forwarded to their destination based solely on the SSRC of the sender ([0080]), which meets the limitation of a receiving media relay server can determine a receiving client associated with the data structure based on the unencrypted Synchronization Source Identifier without identifying a unique port for the receiving client. Bontempi does not specify using the SRTP protocol, which inherently includes an unencrypted Synchronization Source Identifier concantenated with an encrypted RTP header containing a Synchronization Source Identifier, and an encrypted media data packet (See Baugher, Figure 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made for the communication system of Bontempi to utilize the SRTP protocol in order to provide a framework for encryption and message authentication while achieving high throughput and low packet expansion suitable for heterogeneous environments as taught by Baugher (Page 2, Introduction).

## *Conclusion*

9.      The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bach Corneliussen, U.S. Publication No. 2002/0156903

10.      Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN E. LANIER whose telephone number is (571)272-3805.  The examiner can normally be reached on M-Th 6:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799.  The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132